













Overview of Proposed Rule Changes

March 21, 2017



Upcoming Rule changes



- Three primary updates to rules:
 - Rule renumbering to support new Enforcement & Compliance system
 - General clean-up
 - Core rule changes
- Implementation-July 1, 2017

KEY TAKEAWAY

None of the changes being made to the content impacts the intent of the rules in any way.

Purpose of renumbering



- Separate compound rules
 - Many rules have multiple components that could be counted as repeat, even if the non-compliance is a separate issue
 - Trying to ensure fair assessment of rules
- Consolidation of rules
 - Many rules have lists of items or issues that should be combined and counted as one rule

Family Child Care Learning Home (FCCLH)-Renumbering Changes





Home Child Care

.07- Staffing and Supervision



- (a) An assistant, who must be at least 16 years of age, must be present to assist with supervision whenever:
- 1. more than three children under the age of 12 months are present; or
- more than six children under the age of three years are present; or
- 3. more than eight children under the age of five years are present.
- (15) An assistant, who must be at least sixteen (16) years of age, must be present to assist with supervision whenever more than three (3) children under the age of twelve (12) months are present, more than six (6) children under the age of three (3) years are present or more than eight (8) children under the age of five (5) years are present.

.08- Children's Records



(ba) The policies and procedures shall Finclude a written description of the services to be provided which specifies the following: ages of children served, months of operation, days of operation, hours of operation, dates the Family Child Care Learning Home will be closed, admission requirements, including parental responsibilities for supplying and maintaining accurate required record information and escorting Child to and from the Family Child Care Learning Home; standard fees, payment of fees, fees related to absences and vacations and other charges such as transportation, etc. and transportation provided, if any.

- 1. Ages of Children served;
- 2. Months of operation;
- Days of operation;

.10- Nutrition and Food Services



- (2) Meals and snacks with serving sizes dependent upon the age of the children shall be nutritious, well balanced, and varied. Lunch and supper meals shall consist of vegetables or fruit or both; meat, poultry, fish, cheese, eggs, or protein substitute; bread; and milk unless the child has a specific health reason for prohibiting milk. Caregivers shall not use food to reward or punish children.
- (17) Caregivers shall not use food to reward or punish children.

.11- Health, Safety, and Discipline



- (ji) Personnel shall wash their hands with liquid soap and warm running water: immediately before and after each diaper change; immediately upon the first Child's arrival in the Home for care and upon re-entering the Home after outside play; before and after dispensing oral medications and applying topical medications, ointments, creams or lotions, handling and preparing food, eating, drinking, preparing bottles, feeding or assisting children with eating and drinking; after toileting or helping children with toileting, using tobacco products, handling garbage and organic waste, touching animals or pets, handling bodily fluids such as, but not limited to, mucus, saliva, vomit or blood and after contamination by any other means.
- 1. Immediately before and after each diaper change;
- 2. Immediately upon the first Child's arrival in the Home for care and upon re-entering the Home after outside play;
- 3. Before and after dispensing oral medications and applying topical medications, ointments, creams or lotions, handling and preparing food, eating, drinking, preparing bottles, feeding each child, assisting children with eating and drinking; and
- 4. After toileting or helping children with toileting, using tobacco products, handling garbage and organic waste, touching animals or pets, handling bodily fluids, such as, but not limited to, mucus, saliva, vomit or blood, or contamination by any other means.

.12- Equipment and Supplies



- (59) Toys shall be stored on low, open shelves accessible to children in each room or assigned area. Toys that launch projectiles, such as dart guns, pop guns, slingshots, etc., shall not be allowed in the Home, and balloons shall not be accessible to preschool children.
- (10) Toys that launch projectiles, such as dart guns, pop guns, slingshots, etc. shall not be allowed in the Home, and balloons shall not be accessible to preschool children.

.13- Building and Grounds



- (d) The Home shall be kept free of fire hazards and unnecessary or excessive combustible material. When in use, radiators, open fire, oil or wood burning stoves, floor furnaces and similar hazards shall have barriers or screens to prevent Children from being burned. Unvented fuel fired heaters shall not be used unless equipped with an oxygen depletion safety shut off system.
- (e) When in use, radiators, open fire, oil or wood burning stoves, floor furnaces and similar hazards shall have barriers or screens to prevent children from being burned.
- (f) Unvented fuel fired heaters shall not be used unless equipped with an oxygen depletion safety shut off system.

.14- Reporting



- (1) Within twenty-four (24) hours or the next work day, the Home shall report the following to the Department: any death of a Child while in the care of the Home; any serious illness or injury requiring hospitalization or professional medical attention other than first aid administered by the Provider, Provisional Employee or Employee of the Home; any fire; any structural disaster; the closing of the home and any situation when a Child in care becomes missing, such as, but not limited to, a Child who is left on a vehicle, a Child who leaves the building, playground, or property, or a Child who is left behind on any trip.
 - (a) Any death of a Child while in the care of the Home;
- (b) Any serious illness or injury requiring hospitalization or professional medical attention other than first aid administered by the Provider, Provisional Employee or Employee of the Home;
 - (c) Any fire;
 - (d) Any structural disaster;
 - (e) Closing of the Home; and
- (f) Any situation when a Child in care becomes missing, such as, but not limited to, a Child who is left on a vehicle, a Child who leaves the building, playground, or property, or a Child who is left behind on any trip; and

.19- Safe Sleeping and Resting Requirements



- (2) Environment. A Family Child Care Learning Home shall provide a safe sleep environment in accordance with American Care and Learning Academy of Pediatrics (AAP), Consumer Product Safety Commission (CPSC) and American Society for Testing and Materials (ASTM) recommendations as listed in (a) through (h) below Tthese rules listed in (a) through (h) below shall be followed for all infants and one-year-old children when placed for sleep in a safety approved crib or in any other type of equipment approved for infant sleep. Staff shall place an infant to sleep on the infant's back unless the Parent has provided a physician's written statement authorizing another sleep position for that particular infant that includes how the infant shall be placed to sleep and a time frame that the instructions are to be followed. When an infant can easily turn over from back to front and back again, staff shall continue to put the infant to sleep initially on the infant's back, but allow the infant to roll over into his or her preferred position and not reposition the infant. Sleepers, sleep sacks and wearable blankets that fit according to the commercial manufacturer's guidelines and will not slide up around the infant's face may be used when necessary for the comfort of the sleeping infant, however swaddling shall not be used unless the Home has been provided a physician's written statement authorizing its use for a particular infant that includes instructions and a time frame for swaddling the infant. Staff shall not place objects or allow objects to be placed in or on the crib with an infant such as but not limited to toys, pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, or other soft items and shall not attach objects or allow objects to be attached to a crib with a sleeping infant such as but not limited to crib gyms, toys, mirrors and mobiles.
- (a) Staff shall place an infant to sleep on the infant's back unless the Parent has provided a physician's written statement authorizing another sleep position for that particular infant that includes how the infant shall be placed to sleep and a time frame that the instructions are to be followed.
- (b) Staff shall not place objects or allow objects to be placed in or on the crib with an infant such as but not limited to toys, pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, or other soft items.
- (c) Staff shall not attach objects or allow objects to be attached to a crib with a sleeping infant such as but not limited to crib gyms, toys, mirrors and mobiles.
- (d) Sleepers, sleep sacks and wearable blankets that fit according to the commercial manufacturer's guidelines and will not slide up around the infant's face may be used when necessary for the comfort of the sleeping infant. Swaddling shall not be used unless the Home has been provided a physician's written statement authorizing its use for a particular infant that includes instructions and a time frame for swaddling the infant.



Child Care Learning Center (CCLC)-Renumbering Changes



.03- Activities



- (3) Opportunities for each child to make choices in a variety of activities shall be offered. A Child with Special Needs shall be integrated into the activities provided by the Center unless contraindicated medically or by written parental agreement.
- (4) A Child with Special Needs shall be integrated into the activities provided by the Center unless contraindicated medically or by written parental agreement.

.08- Children's Records



(p-6) Arrival and Departure Records. Records of a child's daily arrival and departure for the twelve (12) preceding months shall be maintained but need not be filed in each child's record. The Parent or person(s) authorized by the Parent to drop off and pick up the child will document, in written or electronic format, each time the Parent or authorized person drops off and picks up the child. The documentation shall include at least the following information: the date, the child's name, the arrival and departure times, and the signature or initials of the Parent or authorized person at the time of arrival and departure. These records shall be made available to the Department in printed or written form upon request. The Center shall ensure that children are only released to authorized person(s), and Center Staff shall take necessary steps to determine that any such person(s) presenting to pick up a child in care is authorized by the Parent(s) of the child and that person matches the identifying information provided by the Parent.

(7) The Center shall ensure that children are only released to authorized person(s), and Center Staff shall take necessary steps to determine that any such person(s) presenting to pick up a child in care is authorized by the Parent(s) of the child and that person matches the identifying information provided by the Parent.

.11- Discipline



- (2) Personnel shall not: physically or sexually abuse a child or engage or permit others to engage in sexually overt conduct in the presence of any child enrolled in the Center; inflict corporal/physical punishment upon a child; shake, jerk, pinch or handle a child roughly; verbally abuse or humiliate a child which includes, but is not limited to, the use of threats, profanity or belittling remarks about a child or his family; isolate a child in a dark room, closet or unsupervised area; use mechanical or physical restraints or devices to discipline children; use medication to discipline or control children's behavior without written medical authorization issued by a licensed professional and given with the parent's written consent; restrict unreasonably a child from going to the bathroom; punish toileting accidents; force-feed a child or withhold feeding a child regularly scheduled meals and/or snacks; force or withhold naps; allow children to discipline or humiliate other children; and confine a child for disciplinary purposes to a swing, highchair, infant carrier, walker or jumpseat.
- (a) Physically or sexually abuse a child or engage or permit others to engage in sexually overt conduct in the presence of any child enrolled in the Center;
- (b) Inflict corporal/physical punishment upon a child;
- (NOTE: .11(2)(a-m) is being combined)

.12- Equipment and Toys



- (2) Equipment and Furniture. All equipment and furniture shall be used only by the ageappropriate group of children. Equipment and furniture shall be free from hazardous conditions such as, but not limited to, sharp rough edges or toxic paint and shall be kept clean.
- (a) Free from hazardous conditions such as, but not limited to, sharp rough edges or toxic paint;
- (b) Kept clean;
- (e3) Equipment and furniture shall be Pplaced so as to permit the children's freedom of movement and to minimize danger of accident and collision;
- (d4) Secured if eEquipment and furniture shall be secured if it is of a weight or mass that could cause injury from tipping, falling, or being pulled or pushed over. Potentially unstable equipment and furniture that might injure a child if not secured include, but are not limited to, televisions, chests of drawers, bookcases, shelving, cabinets and fish tanks. Examples of items not required to be secured include, but are not limited to, child-sized tables and chairs, rocking chairs, and cribs.

.15- Food Service and Nutrition



(6) Meal Service.

- (a) Children shall be served all meals and snacks scheduled for the period during which they are present. In those Centers where the Parent(s) of children enrolled provide the meals and snacks, the Center shall ensure that no child remains at the Center without receiving the scheduled nutritious meals and snacks. There shall be a period of at least two (2) hours between each required meal or snack. Drinking water shall be offered at least once between meals and snacks to children less than three (3) years of age. The following meals and snacks shall be scheduled and served by the Center when appropriate: breakfast or a morning snack, lunch, an afternoon snack, supper if a Center operates evening care and an evening snack prior to bed time if a Center operates night time care.
- 1. Breakfast or a morning snack;
- 2. Lunch;
- 3. An afternoon snack;
- 4. Supper if a Center operates evening care;
- 5. An evening snack prior to bedtime if a Center operates night-time care.

.17- Hygiene



- (7) Handwashing, Children. Children's hands shall be washed with liquid soap and warm running water: <u>immediately</u> upon arrival for care, when moving from one child care group to another and upon re-entering the child care area after outside play; before and after eating meals and snacks, handling or touching food, or playing in water; after toileting and diapering, playing in sand, touching animals or pets, contact with bodily fluids such as, but not limited to, mucus, saliva, vomit or blood and after contamination by any other means. Washcloth handwashing is permitted for infants when the infant is too heavy to hold for handwashing or cannot stand safely to wash hands at a sink and for children with special needs who are not capable of washing their own hands. An individual washcloth shall be used only once for each child before laundering.
- (a) Immediately upon arrival for care, when moving from one child care group to another, and upon re-entering the child care area after outside play;
- (b) Before and after eating meals and snacks, handling or touching food, or playing in water;
- (c) After toileting and diapering, playing in sand, touching animals or pets, and contact with bodily fluids such as, but not limited to, mucus, saliva, vomit or blood;
- -(d) After contamination by any other means; and
- (e) Washcloth handwashing is permitted for infants when the infant is too heavy to hold for handwashing or cannot stand safely to wash hands at a sink and for children with special needs who are not capable of washing their own hands. An individual washcloth shall be used only once for each child before laundering.

.18- Kitchen Operations



- (2) Food Preparation Areas. Each Center shall have a designated space for food preparation separate from rooms used by children and in an area not used for diaper changing. The area shall be kept clean and free of accumulation of dust, dirt, food particles and grease deposits. Ventilation shall be provided either by mechanical or natural means so as to provide fresh air and control of unpleasant odors in the food preparation area. Food preparation surface areas shall be nonporous with no unsealed cracks or seams. Kitchen lights shall be shielded.
- (2) Each Center shall have a designated space for food preparation separate from rooms used by children and in an area not used for diaper changing. The area shall be kept clean and free of accumulation of dust, dirt, food particles and grease deposits. Food preparation surface areas shall be nonporous with no unsealed cracks or seams.
- (3) Ventilation shall be provided either by mechanical or natural means so as to provide fresh air and control of unpleasant odors in the food preparation area.
- (4) Kitchen lights shall be shielded.

.21- Operational Policies and Procedures



- (o) If licensed for the care of an infant or toddler: <u>Center's diapering procedures</u>, <u>Center's toilet training</u> <u>procedures</u>, and <u>Center's feeding procedures</u>;
 - 1. Center's diapering procedures;
 - Center's toilet training procedures;
 - Center's feeding procedures;

.24- Personnel Records



- (1) A Center must maintain a personnel file on the Director, all Employees, Provisional Employees, Personnel, Staff, Students-in-Training, Volunteers, Clerical, Housekeeping, Maintenance, and other Support Staff for the duration of the term of employment plus one (1) calendar year, and it shall contain the following: identifying information to include: name, date of birth, social security number, current address and current telephone number; employment history; as applicable to the position held: evidence of education and qualifying work experience, evidence of required orientation including date and signature of person providing the orientation; evidence of all training required by these rules which shall include: title of training, date of training, trainer's signature, location of training and number of clock hours obtained; a statement completed by the staff member that the information provided is true and accurate; and any other records required by these rules.
- (a) Identifying information to include: name, date of birth, social security number, current address and current telephone number;
- (b) Employment history;
- (c) As applicable to the position held, evidence of education and qualifying work experience;
- (d) As applicable to the position held, evidence of required orientation including date and signature of person providing the orientation;
- (e) As applicable to the position held, all training required by these rules which shall include: title of training, date of training, trainer's signature, location of training and number of clock hours obtained;
- (f) As applicable to the position held, verification of a Satisfactory Records Check Determination;

.26- Playgrounds



(7) Anchoring of Certain Equipment. and Fall Zones. Climbing and swinging equipment shall be anchored. and have a resilient surface beneath the equipment. The fall-zone from such equipment must be adequately maintained by the Center to assure continuing resiliency.

(8) Fall Zones and Surfacing. Climbing and swinging equipment shall have a resilient surface beneath the equipment and the fall zone from such equipment must be adequately maintained by the Center to assure continuing resiliency.

.29- Required reporting

- (c) Incident Reports. The following incidents must be reported to the Department within twenty four (24) hours or the next work day: any death of a child while in the care of the Center; any serious illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the Center; any situation when a child in care becomes missing, such as, but not limited to, a child who is left on a vehicle, a child who leaves the building, playground, or property, or a child who is left behind on any trip; any fire; any structural disaster; and any emergency situation that requires temporarily relocating children.
- 1. Any death of a child while in the care of the Center;
- 2. Any serious illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the Center;
- 3. Any situation when a child in care becomes missing, such as, but not limited to, a child who is left on a vehicle, a child who leaves the building, playground, or property, or a child who is left behind on any trip;
- 4. Any fire;
- 5. Any structural disaster;
- 6. Any emergency situation that requires temporarily relocating children.

.30- Safe Sleeping and Resting Requirements

- (2) Sleeping and Resting Environment for Infants. A Center shall provide a safe sleep environment in accordance with art. American Academy of Pediatrics (AAP), Consumer Product Safety Commission (CPSC) and American Society for Testing and Materials (ASTM) recommendations as listed in (a) through (h) below these rules for all infants. Center Staff shall place an infant to sleep on the infant's back unless the Parent has provided a physician's written statement authorizing another sleep position for that particular infant that includes how the infant shall be placed to sleep and a time frame that the instructions are to be followed. When an infant can easily turn over from back to front and back again, Staff shall continue to put the infant to sleep initially on the infant's back but allow the infant to roll over into his or her preferred position and not re-position the infant. Sleepers, sleep sacks and wearable blankets that fit according to the commercial manufacturer's guidelines and will not slide up around the infant's face may be used when necessary for the comfort of the sleeping infant, however swaddling shall not be used unless the Center has been provided a physician's written statement authorizing its use for a particular infant that includes instructions and a time frame for swaddling the infant. Staff shall not place objects or allow objects to be placed in or on the crib with an infant such as but not limited to toys, pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, or other soft items and shall not attach objects or allow objects to be attached to a crib with a sleeping infant such as but not limited to crib gyms, toys, mirrors and mobiles.
- (a) Center Staff shall place an infant to sleep on the infant's back in a crib unless the Center has been provided a physician's written statement authorizing another sleep position for that particular infant that includes how the infant shall be placed to sleep and a time frame that the instructions are to be followed.
- (b) Center Staff shall not place objects or allow objects to be placed in or on the crib with an infant such as but not limited to toys, pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, or other soft items.
- (c) Center Staff shall not attach objects or allow objects to be attached to a crib with a sleeping infant, such as, but not limited to, crib gyms, toys, mirrors and mobiles.
- —(d) Sleepers, sleep sacks and wearable blankets that fit according to the commercial manufacturer's guidelines and will not slide up around the infant's face may be used when necessary for the comfort of the sleeping infant. Swaddling shall not be used unless the Center has been provided a physician's written statement authorizing its use for a particular infant that includes instructions and a time frame for swaddling the infant.

.33- Staff Training



- (34) First Year Training Direct Care Staff. Within the first year of employment, all Staff who provide any direct care to children, except independent contractors, Students-in-Training and volunteers, shall obtain ten (10) clock hours of training or instruction in child care issues from an accredited school or Department-approved source. At least six (6) of the clock hours must be divided as follows: four (4) clock hours of training in any of the following topics: disease control, cleanliness, basic hygiene, illness detection, illness disposition and childhood injury control and two (2) clock hours of training in identifying, reporting and meeting the needs of abused, neglected or deprived children.
 - (a) four (4) clock hours of training in any of the following topics: disease control, cleanliness, basic hygiene, illness detection, illness disposition and childhood injury control.
 - (b) two (2) clock hours of training in identifying, reporting and meeting the needs of abused, neglected or deprived children.

.35- Swimming Pools and Water-related Activities



- (5) Additional Supervision. At least one (l) additional Staff member above the required Staff:child ratios for any water-related activity (such as swimming, fishing, boating, or wading) shall be available to rotate among the age groups as needed when any of the following circumstances are present: the majority of the children in a group are not accustomed to or are afraid of the water; the majority of the children in a group comprised of children who cannot swim a distance of 15 yards unassisted cannot touch the bottom of the water facility without submerging their heads; the water facility is particularly crowded; and the children have special needs which impact on their ability to participate safely in the water-related activity.
 - (a) the majority of the children in a group are not accustomed to or are afraid of the water;
- (b) the majority of the children in a group comprised of children who cannot swim a distance of 15 yards unassisted cannot touch the bottom of the water facility without submerging their heads;
 - (c) the water facility is particularly crowded;
- (d) the children have special needs which impact on their ability to participate safely in the water-related activity.

.36- Transportation



(b) Effective July 1, 2015, the Director and each Staff person who will be responsible for or participate in the transportation of children shall have completed two (2) clock hours of <u>state-approved or state-accepted</u> transportation training prior to assuming any duties related to the transportation of children and at least every two years thereafter. <u>This training may be counted as part of the annual training requirements for Staff.</u>

(c) Any transportation training completed should be stated approved or state accepted training. This training may be counted as part of the annual ongoing training requirements for Staff.

General Clean-up



- Correction of spelling & grammatical errors
- Changed "lavatory" to "hand washing sink"
- Move all rules related to CPR & First to chapter .14-First aid and CPR (CCLC)
- Struck the following chapters in CCLC:
 - .23- Parental Authorizations (Note: each rule was already in the topic specific chapter)
 - .34- Standards of Care (Program no longer exists)



Changes to Core Rules



- Fall '15- Provider/staff surveys & stakeholder meeting to assess core rule content
- Purpose:
 - To align center and family child care core rule categories
 - Confirm what core rules were most relevant in the impact of health & safety of children

Core Rule changes- FCCLH

Removing 11 rules as 'core'



CRC-Independent Contractor- satisfactory fingerprint determination
CRC-Volunteer - satisfactory fingerprint determination
CRC-Student-in-Training - satisfactory fingerprint determination
CRC-Other Staff- satisfactory fingerprint determination
CRC Evidence - Provider
CRC Evidence - Employee hired before 1/1/14
CRC Evidence - Employee hired after 1/1/14
No satisfactory preliminary CRC for Provisional Employees
Provisional employee -past 21 days, no fingerprints
CRC Evidence - Provisional Employee
Parent Agreement- Swimming, Transportation, field trip, etc.

Core Rule changes- FCCLH



Adding 6 'new' core rules

Medication - authorizations/storage/dispensing records

Diapering- changed in/on crib or nonporous surface, cleaned with disinfectant

Staff Handwashing

Child Handwashing (excludes 4. because washcloth hand washing is being removed from CCLC)

Secure equipment

All indoor/outdoor furniture/equipment free from hazards and clean

Core Rule changes- CCLC Removing 20 rules as 'core'

Transportation- retain records 1 yr.



Diapering- hazardous items out of reach
Diapering- staff with diaper changing responsibilities not simultaneously assigned to kitchen food prep (note: handwashing portion of rule struck, in .17 hygiene rules)
Field Trip - Parental Permission
Field Trip - list of participants
Field Trip - Emergency Medical Info
Field Trip - name tags
Potty chairs - storage and use
Use washcloths for infant handwashing
Swimming- Additional supervision- afraid of water
Swimming- Additional supervision- majority cannot swim
Swimming- Additional supervision- particularly crowded
Swimming - Additional supervision- special needs
Swimming- Parental Permission
Transportation- annual inspection of vehicle
Transportation- seats must be securely fastened to the body of the vehicle
Transportation- front seat
Transportation- Driver first aid/CPR
Transportation- 36+ ratios (reg. ratio- duplicate)
Transportation- parental auth.



Georgia Department of Early Care and Learning

Core Rule changes- CCLC



Adding 6 'new' core rules



CRC - Must have satisfactory CRC before being present or residing



CRC - No individual with an unsatisfactory record check may be present or reside

Equipment/toys-secured

License capacity

Mixed-age ratios (facility w/ capacity of 18 or less)- child under 3 yrs.

Mixed-age ratios (facility w/ capacity of 18 or less)- all children 3 yrs.+

Next Steps/Timeline



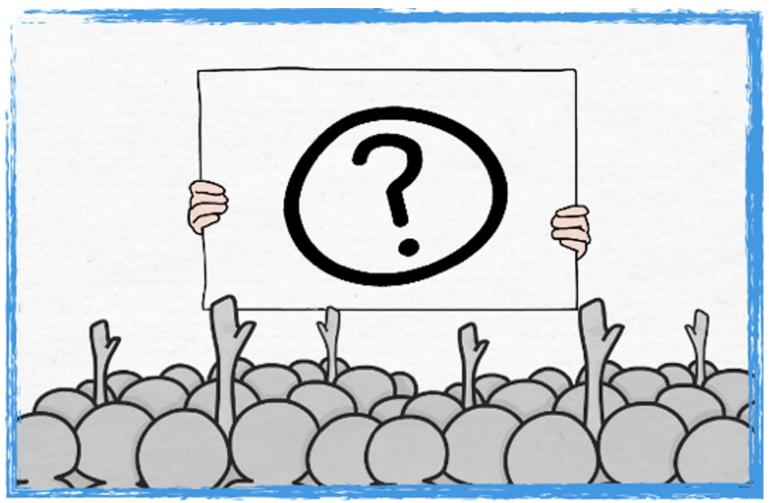
Public comment period-April 10th – May 10th

Public hearing/vote-May 11th board meeting



Implementation-July 1st





Please send any questions or feedback to:



CCSRuleRevisions@decal.ga.gov

